

**MINUTES  
INLAND WETLANDS AND WATERCOURSES COMMISSION  
OCTOBER 5, 2010**

**MEMBERS PRESENT:** Richard Girouard, Chairman  
Arlyne Fox, Vice Chairman  
John Lauria, Secretary  
Richard Deecken  
Carmine DeFeo  
Kevin Chamberlain, Alternate (voting)  
Frank Marcus, Alternate (voting)

**MEMBERS ABSENT:** Lars Jorgensen  
David Lucas

**ALSO PRESENT:** Stephen Savarese, PE, LS Town Engineer  
Donna Marcus – Acting Clerk

The following is a brief summary of the meeting. A recording was made on tape and is on file in the office of the Town Engineer, Town Hall, Trumbull, CT.

The Chair convened the meeting at 7:30 p.m.  
Commissioner Fox led the Commission in the Pledge of Allegiance.  
Commissioner Lauria read the public hearing notice.

**NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN THAT the Inland Wetlands and Watercourses Commission of the Town of Trumbull will hold a Public Hearing on Tuesday, October 5, 2010, at 7:30 p.m. in the Trumbull Town Hall Courtroom, 5866 Main Street, Trumbull, Connecticut, on the following application:

Application 10-17 Rose Tiso & Company. Permit approval to construct 12,385 square foot Office addition and 61 car paved parking area in a Regulated area at 2 Trefoil Drive.

Application 10-21 Robert C. Whitehead. Permit approval of current locations of 36'x15' canvas shed, wood pile and earthen berm in a regulated area at 5204 Madison Avenue.

Application 10-22 Cortland Developers, LLC. Permit approval to construct two residential dwellings with associated site improvements at 45 Twin Circle Drive and 49 Twin Circle Drive.

A copy of the application and maps are on file for public inspection in the Town Engineer's Office, Town Hall, Trumbull, Connecticut.

Dated at Trumbull, Connecticut this 10<sup>th</sup> day of September 2010.  
Richard H. Girouard, Sr., Chairman  
Inland Wetlands and Watercourses Commission of the Town of Trumbull

**Public Hearing.**

The Chairman opened the public hearing at 7:35 p.m.

**MINUTES  
INLAND WETLANDS AND WATERCOURSES COMMISSION  
OCTOBER 5, 2010**

Application 10-17 – Rose Tiso & Company. Permit approval to construct 12,385 square foot office addition and 61 car paved parking area in a regulated area at 2 Trefoil Drive. Manuel Silva from Rose Tiso & Company was present for the applicant and they represent Scan Tool and JJ&J Realty. Currently this is a manufacturing site with offices by the Monroe Town line. He went over the plans and pointed out the existing rip rap channelized drainage stream and two intermittent streams that flank the north and south of the property. In a prior application in 2008 they received approval to restore one of the wetlands and make it more functioning. This proposal is to add a second story office building and there is an existing building located between the proposed building and the wetland. He said they are also proposing to add 62 parking spaces in front of the existing building. He submitted plans showing elevations into the record and he summarized the elevation plans, the site engineering report, the inspection and maintenance plan, and landscaping plan. He indicated they will be reducing peak flows during storm events and the storm management is designed to handle a 25 year storm event.

He introduced Dick Jago from Tomlinson-Hawley-Patterson general contractors from Trumbull. He said he has been on site every other day and there is no visibility of any runoff.

Mr. Silva said the work that is currently being done on the site is from the 2008 approval.

Commissioner DeFeo commented on the invasive bamboo that is growing on the site and the applicant offered to plant native non invasive species.

The Chairman asked if anyone from the public wished to speak.

No one from the public came forward.

Application 10-21 Robert C. Whitehead. Permit approval of current locations of 36'x15' canvas shed, wood pile and earthen berm in a regulated area at 5204 Madison Avenue. The Chairman stated the applicant asked for a continuance.

- Motion made (Lauria) seconded (Marcus) to CONTINUE the public hearing on Application 10-21 (Whitehead) to the November 8, 2010 meeting. Discussion. MOTION CARRIED 6 in favor (Girouard, Lauria, Fox, DeFeo, Chamberlain, Marcus) 1 abstention (Deecken).

Application 10-22 and Application 10-28 (Cortland Developers, LLC). Permit approval to construct two residential dwellings with associated site improvements at 45 Twin Circle Drive and 49 Twin Circle Drive. David Bjorklund, professional engineer and president of Spath Bjorklund Associates of Monroe was present for the applicant. He stated the applications are for two lots with frontage on Merritt Boulevard and Twin Circle Drive with access off Twin Circle Drive. Recently these lots were served by sanitary sewers. He summarized the history of the lots including fill that was placed on the lots during the construction of Route 8 in the 1970's. He pointed out where approximately 250 feet of a watercourse was filled and placed into a large pipe and boxed culvert network. He reviewed the plans and explained the differences between the original plans and the alternate plans including the change from two driveways to one and lowering the rain garden area. He also addressed concerns that were raised during the site walk and stated he has an alternate plan showing the construction of a chain link fence. He submitted into the record a detail sheet for the construction of the chain link fence. He explained and discussed setback lines, existing drainage and sewer easements, deep slopes, grading problems and excavation associated with the two lots and he agreed to conditions of approval including a geotechnical engineer. The dumping in the area of the steep slope on lot 1 was discussed.

Steve Savarese asked for clarification regarding the plans that were submitted on 10/4 if it is an alternate to the original or a revised plan and Mr. Bjorklund stated he is presenting an alternate of the driveways,

**MINUTES  
INLAND WETLANDS AND WATERCOURSES COMMISSION  
OCTOBER 5, 2010**

relocation of the drainage, and the incorporation of the fence on the site that are all additions since the original submittal and he is proposing it as an alternate. He explained after the field walk they created another plan that showed the combined driveways, the relocation of the storm drainage and the fence and submitted that plan to the Town Engineer on October 4<sup>th</sup>. Then the fence going down the slope to the edge of the wetlands was added and this became the alternate plan and was submitted on October 5<sup>th</sup>. This alternate plan shows all the things the applicant is proposing and is the plan Mr. Bjorklund wants the Commission to rule on.

Mr. Savarese stated the Commission voted at the last meeting to separate lot 1 and lot 2 known as 45 and 49 Twin Circle Drive into two separate applications and it was done and the applicant submitted the appropriate fees.

The chairman explained to the clerk that everything submitted is being given to Steve to be stamped in tomorrow.

The Chairman asked if anyone from the public wished to speak.

Dan Aiken, 41 Twin Circle Drive. Wanted to know if they were bringing the fence up along the pine trees that were planted years ago and he was told it's not those trees it's the trees out along Merritt Boulevard. He wanted to know how close the house is going to be his trees and he was informed the house is going to be twenty feet off the property line. The Chairman asked about the double rows of pine trees and where the boundary is and he said they are on his property and were planted about 33 years ago. He commented on the dumping that occurs on the lots and how it is happening again now because the large rocks blocking the area were moved. He supports the project.

Linda Aiden, 41 Twin Circle. She said twice the neighborhood had to get together and get lawyers because they wanted to change the zoning on this lot to commercial. She is very happy with two houses and not something commercial. They like the trees as a barrier and some have already been removed because of the sewers and she doesn't want to lose any more of her trees.

No one else from the public came forward.

- Motion made (Fox) seconded (Deecken) to close the public hearing at 8:50 p.m. No Discussion. All in favor. MOTION CARRIED UNANIMOUSLY.

The Chairman opened new business at 8:50 p.m.

**New Business:**

Application 10-23 Robert J. Cooney. Permit approval to repair and replace existing deck 20' x 16' deck including 4" concrete slab and footings in a regulated area at 106 Driftwood Lane.

The applicant was present and stated he needs to replace his deck. It is going to be the same size and in the same location 61 feet from the lake. He stated the contractor will use hay bales and a plastic fence to prevent any sediment from going down to the lake.

- Motion made (Fox) seconded (Lauria) to RECEIVE Application 10-23 (Cooney). Discussion. All in favor. MOTION CARRIED UNANIMOUSLY.

He requested to have his application fee waived because the deck was going to collapse and he had no choice about getting the permit to replace the deck.

**MINUTES  
INLAND WETLANDS AND WATERCOURSES COMMISSION  
OCTOBER 5, 2010**

Application 10-24 Jennifer Borges Lindade. Permit approval to construct 40'x60' residential house, driveway, stormwater detention, sewer and water service with associated site grading and improvements in a regulated area at Lot 3 Oriole Lane. Attorney Raymond Rizio was present representing the applicant. He stated there was a previous hearing and the Commission gave direction as to changes and additional information they wanted. He said a soil scientist went to the site and has submitted a letter stating no wetlands or watercourses were found in that area. The location of the house has been moved further away from the wetlands and the house is smaller. They are keeping the split rail fence and the landscaping. The sloping of the yard up against the house has also been reduced and the drainage on the side has been increased.

David Bjorklund was also present for the applicant and commented on and answered questions on the grading and galleys.

Attorney Rizio read into record a letter from Cynthia Rabinowitz, a soil scientist regarding her findings pertaining to wetlands and watercourses on the site and in the area on Oriole Lane.

The Town Engineer recommended having a performance bond in place.

Commissioner Lauria requested the applicant provide a cross section of the landscaping of the back filling of the foundation of the house for the next hearing.

- Motion made (Lauria) seconded (Marcus) to RECEIVE Application 10-24 (Lindade). Discussion. All in favor. MOTION CARRIED UNANIMOUSLY.

Application 10-25 Quarry Road Lot 2, LLC (c/o R.D. Scinto, Inc). Permit approval to construct medical office building with associated modifications in a regulated area at 100 Quarry Road.

Attorney Raymond Rizio was present representing the applicant. This project is on Quarry by the theaters. The theaters are parcel number 2 and the applicant is proposing to build a 7,000 square foot medical office building on the parking lot. On the other side of the driveway there is a man made drainage system and that is the only wetlands on the site. He stated there will be no wetland impact, disturbance or filling and the building will be over an impervious surface.

David Bjorklund, professional engineer and president of Spath Bjorklund Associates of Monroe was present for the applicant. He went over the existing stormwater quality drainage system they did when they did the movie theater in the early 90's. This application requires stormwater management and he highlighted the proposed drainage plans. Discussion took place regarding the pond area and changes to that area.

Attorney Rizio responded to questions and comments regarding refuse in the area, maintenance, and parking. Commissioner Deecken pointed out this is a federal flood zone. Mr. Bjorklund stated they have taken that fact into consideration and explained the building and basement design, flood elevations, and the pumped under drainage system. Discussion continued regarding the flood zone area and flood plain permit, elevations and filling of the area when Route 25 was constructed. Attorney Rizio requested a reduction of the application fee from \$5,060.00 to \$2,060.00.

- Motion made (Deecken) seconded (DeFeo) to RECEIVE Application 10-25 (Quarry Road Lot 2, LLC). Discussion. All in favor. MOTION CARRIED UNANIMOUSLY.

Application 10-27 Brian Sullivan. Permit approval of construction of addition and expansion of deck at pool in a regulated area at 26 Dogwood Lane. The contractor Steve Bieling of 40 Dogwood Lane and the applicant were present. He noted the correct address is 25 Dogwood Lane and not 26 and the picture on the assessor's field card is not a picture of the house. Steve Bieling passed out a sketch and explained the plans and the excavation of the site. Mr. Sullivan stated the sewer line is being installed and this construction will take place at the same time.

**MINUTES  
INLAND WETLANDS AND WATERCOURSES COMMISSION  
OCTOBER 5, 2010**

- Motion made (Deecken) seconded (Marcus) to RECEIVE Application 10-27 (Sullivan). Discussion. All in favor. MOTION CARRIED UNANIMOUSLY.
- Motion made (Fox) seconded (Lauria) to close new business. No Discussion. All in favor. MOTION CARRIED UNANIMOUSLY.

**Correspondence:**

Steve Savarese told the Commission he had copies of the Habitat for the members and one voucher for the UCONN Wetlands Program Session 3.

Commissioner Deecken questioned the Commission's site walk procedure.

**Work Session:**

After discussion and review, the Commission took action as follows:

- Motion made (Deecken) seconded (Marcus) to APPROVE Application 10-17 (Tiso), as submitted, subject to the General Conditions as established by the Commission. Discussion. All in favor. MOTION CARRIED UNANIMOUSLY.
- Motion made (Deecken) seconded (Marcus) to amend the original Motion to APPROVE Application 10-17 (Tiso) by adding the following specific condition:
  - The bamboo be investigated and the invasive plants be removed as needed and replaced with natural wetland plants. Trumbull Inland Wetlands and Watercourses' Agent to be notified prior to commencement of any work.

Discussion. All in favor. MOTION CARRIED UNANIMOUSLY.

Application 10-21 (Whitehead) continued.

- Motion made (Lauria) seconded (Marcus) to APPROVE Application 10-28 (Lot 2) (Cortland Developers, LLC), as submitted, subject to the General Conditions as established by the Commission. Discussion. All in favor. MOTION CARRIED UNANIMOUSLY.
- Motion made (Lauria) seconded (Chamberlain) to APPROVE Application 10-22 (Lot 1) (Cortland Developers, LLC), as submitted, subject to the General Conditions as established by the Commission and the following specific conditions:
  - House be moved forward 21 feet so the setback from Twin Circle is 35 feet from the road;
  - Chain link fence as shown on Alternate 1;
  - Geo-technical engineer to do an analysis and provide a letter to the wetland agent for the Town of Trumbull stating whether or not mass grading or excavation of the site is required;

Discussion. All in favor. MOTION CARRIED UNANIMOUSLY.

The Chairman called a recess.

The Chairman reconvened the work session.

**MINUTES  
INLAND WETLANDS AND WATERCOURSES COMMISSION  
OCTOBER 5, 2010**

- Motion made (Deecken) seconded (Fox) to APPROVE Application 10-23 (Cooney), as submitted, subject to the General Conditions as established by the Commission. No discussion. All in favor. MOTION CARRIED UNANIMOUSLY.

The Commission discussed waiving the fee as requested by the applicant and did not agree to waive the fee.

- Motion made (Lauria) seconded (Deecken) on Application 10-24 (Lindade) to hold a public hearing, schedule a site inspection and deem this application a significant impact activity. Discussion. All in favor. MOTION CARRIED UNANIMOUSLY.
- Motion made (Chamberlain) seconded (DeFeo) to APPROVE Application 10-25 (Quarry Road Lot 2, LLC), as submitted, subject to the General Conditions as established by the Commission and the following specific condition:
  - Subject to the Town Engineering determining if the subject property is in a flood zone. No discussion. MOTION CARRIED 6 in favor (Girouard, Lauria, DeFeo, Deecken, Chamberlain, Marcus,) 1 against (Fox).
- Motion made (Chamberlain) seconded (Marcus) to reduce the application fee on Application 10-25 (Quarry Road Lot 2, LLC) from \$5,060.00 to \$2,060.00 as requested by the Applicant. Discussion. MOTION CARRIED 3 in favor (Chamberlain, Marcus, Girouard) 2 against (DeFeo, Lauria) 2 abstentions (Deecken, Fox).
- Motion made (Fox) seconded (Lauria) to APPROVE Application 10-27 (Sullivan), as submitted, subject to the General Conditions as established by the Commission. No discussion. All in favor. MOTION CARRIED UNANIMOUSLY.

**Field Inspections:**

Field inspection was scheduled for October 19, 2010 at 3:20 p.m. on:  
Application 10-24 (Lindade)

**Minutes:**

- Motion made (Lauria) seconded (Fox) to approve the meeting minutes of September 7, 2010 and field inspection minutes of September 21, 2010. No discussion. All in favor. MOTION CARRIED UNANIMOUSLY.

There being no objections the Chairman moved to adjourn the meeting at 10:40 p.m. No discussion.

Submitted by,  
Joyce Augustinsky  
(Not present at meeting – transcribing from tapes on file in the Town Engineer's Office)